

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JANUARY TERM 2012

MICHAEL SCOTT TYLER,

Appellant,

v.

Case No. 5D11-2084

STATE OF FLORIDA,

Appellee.

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Opinion filed June 15, 2012

Appeal from the Circuit Court
for Sumter County,
William H. Hallman, III, Judge.

James S. Purdy, Public Defender, and
Steven N. Gosney, Assistant Public
Defender, Daytona Beach, for Appellant.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Allison Leigh Morris,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

Michael S. Tyler appeals his sentence imposed following a violation of probation. Tyler, who had previously waived his right to counsel, asserts he is entitled to a new sentencing hearing because the offer of counsel was not renewed. The State properly concedes error. Harris v. State, 79 So. 3d 879 (Fla. 5th DCA 2012); Hays v. State, 63 So. 3d 887 (Fla. 5th DCA 2011).

Accordingly, we vacate the sentence and remand for a resentencing hearing consistent with this opinion.

SENTENCE VACATED and REMANDED.

ORFINGER, C.J., LAWSON and JACOBUS, JJ., concur.